

SCOTT COLE & ASSOCIATES, APC
ATTORNEYS AT LAW
THE WACHOVIA TOWER
1970 BROADWAY, NINTH FLOOR
OAKLAND, CA 94612
TEL: (510) 891-9800

Scott Edward Cole, Esq. (S.B. #160744)
Carrie S. Lin (S.B. # 241849)
SCOTT COLE & ASSOCIATES, APC
1970 Broadway, Ninth Floor
Oakland, California 94612
Telephone: (510) 891-9800
Facsimile: (510) 891-7030
web: www.scalaw.com

Attorneys for Representative Plaintiff
and the Plaintiff Class

Julie A. Kole, Esq. (S.B. # 203681)
Julie L. Taylor, Esq. (S.B. # 154341)
KEESAL, YOUNG & LOGAN, APC
450 Pacific Avenue
San Francisco, CA 94133
Telephone: (415) 398-6000
fax: (415) 981-0136
Email: julie.kole@kyl.com
julie.taylor@kyl.com

Attorneys for Defendant
TD Ameritrade, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JASON THOMAS, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

T.D. AMERITRADE, INC.

Defendant.

Case No.: C 08-02397 WDB

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER
SELECTING A.D.R. PROCESS**

Counsel report that they have met and conferred regarding ADR and have reached the
following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties are amenable to participating in ADR, and hereby stipulate to private mediation
as the appropriate ADR process. The parties will meet and confer after the first Case Management
Conference regarding the appropriate timing of any private mediation, choice of mediator, and the
date and location of the mediation. The parties further stipulate and agree to a two week extension,

1 until August 20, 2008, for exchange of Initial Disclosures pursuant to F.R.C.P. Rule 26.

2
3 Dated: July 23, 2008

4 **KEESAL, YOUNG & LOGAN, APC**

5 By: 

6 Julie A. Kole, Esq.
Attorneys for Defendant

7 Dated: July 23, 2008

8 **SCOTT COLE & ASSOCIATES, APC**

9 By: 

10 Carrie S. Lin, Esq.
Attorneys for the Representative Plaintiff
and the Plaintiff Class

11
12
13
14
15 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

16
17 This _____ day of _____, 2008.

18 
19 Hon. Wayne D. Brazil
20 United States Magistrate Judge
21
22
23
24
25
26
27
28

SCOTT COLE & ASSOCIATES, APC
ATTORNEYS AT LAW
THE WACHOVIA TOWER
1970 BROADWAY, NINTH FLOOR
OAKLAND, CA 94612
TEL: (510) 891-9800